

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RAFAEL VILLANUEVA,

Plaintiff,

v.

SELECT PORTFOLIO SERVICES, INC., et  
al.,

Defendants.

Case No. [14-cv-05238-BLF](#)


**ORDER VACATING CASE  
MANAGEMENT CONFERENCE AND  
SUBMITTING DEFENDANTS'  
MOTION TO DISMISS WITHOUT  
ORAL ARGUMENT**

Defendants Select Portfolio Servicing, Inc. and National Default Servicing Corporation have moved to dismiss Plaintiff's Complaint under Rule 12(b)(6). Plaintiff has not filed an opposition to the motion, which is set to be heard on April 23, 2015. The Court finds that this motion is appropriate for determination without oral argument, pursuant to Civil Local Rule 7-1(b), and hereby SUBMITS the motion without oral argument, and VACATES the motion hearing.

The parties are also scheduled to appear for case management on April 16, 2015. Defendants indicate in their case management statement that Plaintiff's counsel has not responded to attempts to meet and confer regarding case management. *See* ECF 14 at 1 n.1. Because of this, and the pending motion to dismiss, the Court HEREBY VACATES the April 16, 2015 case management conference, and RESETS the conference to July 2, 2015.

**IT IS SO ORDERED.**

Dated: April 10, 2015

  
BETH LABSON FREEMAN  
United States District Judge